South Cavalcade

TELECOPY COVER SHEET

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September 19, 1988

VIA TELECOPY

Ms. Ellen Greeney
Community Relations Coordinator
U.S. Environmental Protection Agency, (6H-SS)
1445 Ross Avenue
Dallas, Texas 75202

RE: Comments on the Feasibility Study for the South Cavalcade Street Superfund Site

Dear Ms. Greeney:

On behalf of our client, Merchants Fast Motor Lines, one of the property owners directly affected by the proposed site remediation, we submit the following comments on the August 1988 Feasibility Study prepared by Keystone Environmental Resources, Inc. for the South Cavalcade Street Superfund Site located in Houston, Texas:

COMMENT 1: THE PUBLIC COMMENT PERIOD SHOULD BE EXTENDED.

The Remedial Investigation/Feasibility Study (RI/FS) for the South Cavalcade Street Site was initiated in mid-1985. The RI and FS were completed in July and August 1988, respectively. The FS was submitted to the U.S. Environmental Protection Agency (EPA) by way of a transmittal letter dated August 19, 1988. We received a copy of the FS on Tuesday, August 23, 1988, less than four working days before the public hearing held in Houston on Monday, August 29, 1988. The public comment period is currently scheduled to end on September 19, 1988, less than four weeks after copies of the FS were made available to the public.

Before adopting any plan for remedial action, EPA must "[p]rovide a reasonable opportunity for submission of written and oral comments" pursuant to § 117(a)(1) of the Superfund Amendments and Reauthorization Act of 1986 (SARA). We submit that the Agency has not provided a reasonable opportunity for public comments with respect to the South Cavalcade Street Site. In particular, the time frames for preparing the FS report and for public review and comment were unreasonably short.

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As the dates above suggest, it took over three years to complete the RI/FS, but less than four weeks were allowed for public review and comment. This is an extremely short period of time, particularly since the RI/FS is contained in six volumes, spanning over 2,000 pages. We also understand that EPA established a 30-day time period for writing and finalizing the FS. Again, this is clearly an unreasonable amount of time given the importance of the document and the conclusions set forth therein.

The obvious perception is that these unreasonable deadlines may have been established by EPA in an attempt to issue a ROD by September 30, 1988, the end of the federal government's fiscal year. We note that EPA's fiscal year ends on September 30, at which time the Agency will compile data concerning its activities during the prior year, including data concerning the number of RODs issued. We have seen a great propensity on the part of EPA to establish unreasonably short time frames for the preparation of an FS and for public review and comment primarily for "bean counting" purposes. We fail to see any other justification for the unreasonable deadlines established in this instance and strongly support the concept of provision of more time for public input prior to issuance of the ROD.

COMMENT 2: THE RECORD OF DECISION (ROD) SHOULD CONTAIN A GREAT DEAL OF FLEXIBILITY.

We applaud EPA's efforts in attempting to facilitate expeditious cleanup activities. However, we submit that the final stages of the RI/FS for the South Cavalcade Street Site were conducted much too rapidly. In particular, as stated above, the time frames for preparing the FS report and for public review and comment were unreasonably short and give the very clear impression that the urgency of the matter is due to the close of the government's fiscal year. While we do not condone such unreasonable time frames, we believe the inadequacies may be cured, at least in part, by providing a significant amount of flexibility in the ROD, in addition to extending the public comment period.

For example, the ROD should require reevaluation of selected remedial alternatives and allow consideration of new alternatives following the collection and evaluation of additional information from soil samples, pump tests and other investigations. This new information and the reevaluation criteria should then be submitted to the public for review and comment.

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COMMENT 3: THE SOIL CLEANUP GOAL SHOULD BE REEVALUATED.

It is our understanding that the soil cleanup goal recommended by the FS is 700 ppm carcinogenic polynuclear aromatic hydrocarbons (PAHs). [FS, p. 4-3.] This goal is apparently based on an assumed maximum carcinogenic PAH concentration of 29 mg/kg used to calculate hypothetical intake rates. [FS, Tables 2-7, 2-8 and 2-9.] However, as acknowledged on page 2-2 of the FS, the 29 mg/kg assumption is not based on any actual surface soil data. Rather, it is based on only two valid surficial (0.5 to 6 ft.) soil samples, neither of which indicated the presence of PAHs. The FS assumes that these two surficial soil samples are representative of surface soil conditions throughout the site, even though the report recognizes that "[i]t is very difficult, if not impossible [sic] to accurately characterize the risk associated with a given media, based on only two samples." [FS, p. 2-32.] Nevertheless, despite the paucity of data, the report uses a carcinogenic PAH concentration of 29 mg/kg, which was derived by summing one-half of the maximum detection limits, in performing the Public Health and Environmental Assessment (PHEA).

We submit, however, that this concentration assumption is inconsistent with the data presented in the RI. We further note that the resulting soil cleanup goal is approximately 700 times the soil cleanup goals established at certain other wood-processing sites and is at least 70 times the total PAH soil cleanup goal of any site which has come to our attention. This difference, the weakness of the soil data obtained and the questionable aspects of the extrapolation performed suggest that the PAH concentration may have been underestimated and that the soil cleanup goal for the South Cavalcade Street Site should be reevaluated.

With respect to the RI, Table 6-1 of that report indicates a maximum total carcinogenic PAH concentration of 1,150 mg/kg[1], approximately 40 times the concentration used in the final PHEA to calculate intake rates. Although the data on Table 6-1 was qualified due to dilution effects, the results are presumably more representative of conditions at the site than simply summing one-half of the maximum detection limits, based on only two valid samples.

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1. This maximum concentration was derived by summing the maximum concentrations for each of the carcinogenic PAHs on Table 6-1, i.e., benzo(a)anthracene (340 mg/kg), benzo(a)pyrene (210 mg/kg), benzo(b)fluoranthene (290 mg/kg) and chrysene (310 mg/kg).

Furthermore, as mentioned above, the soil cleanup goal recommended for the South Cavalcade Street Site is approximately 700 times the corresponding goals established for other wood processing sites, as follows:

Site	Soil Cleanup Goals	
	Total PAH	Total Carcinogenic PAH
South Cavalcade	N/A	700.0 ppm
North Cavalcade	N/A	1.0 ppm
United Creosoting	100 ppm	N/A
Bayou Bonfouca	N/A	0.15 to 1.05 ppm
Mid-South Wood Products	N/A	3.0 ppm
Arkwood, Inc.	100 ppm	1.0 ppm
Midland Products	100 ppm	1.0 ppm

Note, in particular, that the soil cleanup goal recommended for the South Cavalcade Street Site is 700 times the corresponding goal recently recommended for the North Cavalcade Street Site. This strongly suggests that the soil cleanup goal for the South Cavalcade Street Site is unrealistically high and may, for example, have been based on an unrealistically low PAH concentration assumption. Consequently, we strongly recommend that the soil cleanup goal be reevaluated based on more reliable data and more realistic assumptions.

COMMENT 4: THE UPPER INTERMEDIATE AQUIFER SHOULD BE REMEDIATED.

The FS is unclear concerning remediation of the upper intermediate aquifer (40-60 ft.). For example, the Executive Summary states on page ES-5 that "the shallow zone ranging from 10 to 20 feet will be remediated," but makes no mention of remediation in the second groundwater zone, i.e., the upper intermediate aquifer. On the other hand, page 4-4 of the FS specifies remedial goals for "the two upper aquifers," suggesting remediation of the upper intermediate aquifer as well as the shallow aquifer. Similarly, page 5-25 of the FS states that collection wells "will recover the shallow and intermediate zone contaminated groundwater," again suggesting remediation of the upper intermediate aquifer. We believe the failure to mention remediation of the second groundwater zone in the Executive Summary may simply have been an oversight and that remediation of that zone is, indeed, contemplated by the FS.

However, if we are incorrect and if remediation of the upper intermediate aquifer is not contemplated by the FS, we note that the RI clearly shows contamination in that

groundwater zone. [See FS, p. 1-10.] In addition, the RI indicates that the upper intermediate aquifer is a fairly continuous groundwater zone which could serve as a path for contaminant migration. Page ES-5 of the FS states that the shallow zone will be "remediated to prevent the vertical and off-site migration of contaminants to lower usable groundwater zones." We submit that this goal cannot be achieved without remediating the second groundwater zone, i.e., the upper intermediate aquifer.

Consequently, we recommend that the Feasibility Study be revised to clarify that remediation of the upper intermediate aquifer is contemplated. Alternatively, if remediation of that zone is not contemplated by the report, we recommend that the groundwater remediation goals be reconsidered in light of the data presented in the RI.

COMMENT 5: THE GROUNDWATER REMEDIAL ACTION ALTERNATIVES SHOULD BE REEVALUATED; OR

THE RECORD OF DECISION (ROD) SHOULD REQUIRE REEVALUATION OF THE GROUNDWATER REMEDIAL ACTION ALTERNATIVES FOLLOWING AN EVALUATION OF THE HYDRAULIC CHARACTERISTICS OF THE SITE.

Each of the groundwater remedial action alternatives outlined in Chapter 5 of the FS contemplate a groundwater extraction-reinjection system using wells and submersible pumps. Each of the alternatives also assumes that recharge wells will be used "to increase the hydraulic gradient and thus increase the flow rate through the aquifer." [FS, p. 5-25.] The conceptual design described on Figure 5-5A includes approximately 116 "collection" or withdrawal wells which would remove 50 million gallons of groundwater over a 30-year period at the rate of 1.5 gallons per minute (gpm). However, based on the data currently available to us, we believe that sustained groundwater withdrawal may not be feasible due to hydraulic conditions at the site. Consequently, we recommend that the groundwater remedial action alternatives be reevaluated prior to finalizing the ROD or, in the alternative, that the ROD require reevaluation of the alternatives following an evaluation of the hydraulic characteristics of the site.

We note that the results of an independent computer model based on the conceptual well design described in Figure 5-5A indicate that the pumping wells will pump dry in less than approximately two months. The model also suggests that the injection wells will exceed capacity in less than approximately one month. These results are admittedly only an approximation, but the clear implication is that a sustained pumping rate of 1.5 gpm may not be feasible over a 30-year period.

We recommend, for example, that the groundwater remedial action alternatives be reevaluated following a series of pump tests. The FS suggests that pump tests have already been conducted. [FS, p. 4-10.] However, we have not had an opportunity to review the results of those tests and recommend that the results be made available to the public for review and comment, prior to finalizing the ROD.

Finally, we note that the design assumptions associated with the conceptual design for the groundwater alternatives, such as the injection rate, well spacing, radius of influence and specific yield, are not included in the FS. We recommend that these assumptions be made available for public review and comment prior to any binding commitment in the ROD to the groundwater extraction-reinjection system.

COMMENT 6: ADDITIONAL SOIL SAMPLES SHOULD BE TAKEN NEAR EXISTING UNDERGROUND STORAGE TANKS.

As suggested above, additional soil samples should be taken in order to reassess the maximum carcinogenic PAH concentration and reevaluate the soil cleanup goal for the site. In addition, we recommend that a number of soil samples be taken around existing underground storage tanks located along the southern portion of the terminal currently owned by Merchants Fast Motor Lines. We submit that the results of such samples should be taken into account in assessing the potential exposure and health risk to construction workers, particularly since the tanks may need to be repaired or replaced in the future.

We appreciate the opportunity to comment on the Feasibility Study for the South Cavalcade Street Superfund Site. Please feel free to contact us if you have any questions or would like additional information.

Very truly yours,

R. Kinnan Goleman

DM:yec/1868Y

cc: Ron Bredemeyer

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